

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

AARON GOLLAND, et al., individually and
on behalf of all others similarly situated,

Plaintiffs,

v.

MAJOR LEAGUE BASEBALL ADVANCED
MEDIA, L.P.,

Defendant.

Case No. 1:24-cv-06270-GHW-GWG

CLASS ACTION

JURY TRIAL DEMANDED

**DECLARATION OF ANDREW RIMA IN SUPPORT OF DEFENDANT
MLB ADVANCED MEDIA, L.P.'S REPLY MEMORANDUM OF LAW IN SUPPORT
OF ITS MOTION TO STRIKE AND DISMISS PLAINTIFFS' COMPLAINT UNDER
FEDERAL RULES OF CIVIL PROCEDURE 12(f), 12(b)(6), AND 12(b)(1)**

DECLARATION OF ANDREW RIMA

I, Andrew Rima, hereby declare:

1. I am a partner at the law firm Goldman Ismail Tomaselli Brennan & Baum LLP. I am counsel of record for Defendant MLB Advanced Media, L.P. (“MLBAM”) in this matter. I submit this declaration in support of MLBAM’s Reply Memorandum of Law in Support of Its Motion to Strike and Dismiss Plaintiffs’ Complaint Under Federal Rules of Civil Procedure 12(f), 12(b)(6), and 12(b)(1).

2. I am over 18 years of age and competent to make this declaration. If called to testify as a witness in this matter, I could and would testify truthfully to each of the statements in this declaration, which are based on my personal knowledge.

3. Attached as Ex. A is a true and correct copy of MLB.com’s 2020 Terms of Use Agreement (“2020 TOU”), updated February 4, 2020, as of January 1, 2023, available at <https://web.archive.org/web/20230101193103/https://www.mlb.com/official-information/terms-of-use>, retrieved February 28, 2025.

4. Attached as Ex. B is a true and correct copy of the email sent to registered users of MLBAM’s digital properties, including MLB.com and MLB.tv, dated February 6, 2024.

5. Attached as Ex. C is a true and correct copy of the MLB.com Homepage, as of February 7, 2024, available at <https://web.archive.org/web/20240207235001/https://www.mlb.com/>, retrieved February 24, 2025.

6. Attached as Ex. D is a true and correct copy of MLB.com’s 2024 Terms of Use Agreement (“2024 TOU”), updated February 6, 2024, available at <https://www.mlb.com/official-information/terms-of-use>, retrieved February 26, 2025.

I declare under penalty of perjury that the foregoing is true and correct. Executed on February 28, 2025, in Houston, Texas.

A handwritten signature in cursive script, appearing to read "Andrew Rima", written in black ink.

Andrew Rima